



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

FEB 12 2009

REPLY TO THE ATTENTION OF:

LR-8J

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Tom Safley  
Senior Counsel  
Environmental Health & Safety  
Koch Industries Inc  
Legal Department  
4111 East 37<sup>th</sup> Street North  
Wichita, Kansas 67220

Re: Koch Pipeline Company, LP Self-Disclosure of Potential RCRA Violations

Dear Mr. Safley:

After reviewing your latest correspondence of November 7, 2008, a few questions remain before we can determine Koch's eligibility for penalty mitigation under EPA's "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations (Audit Policy).

In paragraph 2D of your November 7 letter you state that the Facility "is a crude oil station operated by KPL's Northern Operating Group ("NOG")". Please provide a list of the members of the NOG.

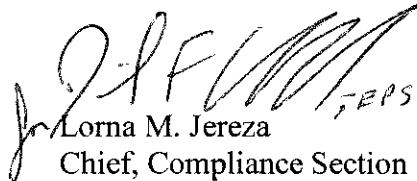
In the section of your November 7 letter headed "Facility Compliance" you state that the specific violations disclosed "are not part of a pattern of such Violations by KPL within the past 5 years." Does "KPL" refer to the NOG or some larger group of entities? If a larger group, please provide a list of all such entities to which this response refers.

RCRA information on file with EPA indicates that the Facility is a large quantity generator with NAICS code 486910 (transportation of refined petroleum products). This classification appears inconsistent with your description of the Facility as a "crude oil pipeline station". Please explain.

Lastly, please provide the actual cost of disposal of the wastes generated which are the subject of your self disclosure and the actual cost of disposal of those wastes now that you are treating them as RCRA hazardous wastes.

Please contact John Tielsch, Associate Regional Counsel, at (312) 353-7447, [tielsch.john@epa.gov](mailto:tielsch.john@epa.gov), or Graciela Scambiaterra, of my staff, at (312) 353-5103, if you have questions. Thank you for your prompt response.

Sincerely,

  
Lorna M. Jereza  
Chief, Compliance Section 1  
RCRA Branch